



News Release

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For more information:
Winnie Comfort
Pete McAleer
609-815-2910

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First Month Statistics Show Criminal Justice Reform Off to Strong Start

One month into the start of Criminal Justice Reform, prosecutors have been successful in detaining potentially dangerous defendants until trial while defendants who present a low risk of violence are no longer remaining in jail solely because they lack financial resources.

“As would be expected with any change of this magnitude, we are closely observing the program to see if adjustments need to be made,” said Judge Glenn A. Grant, acting administrative director of the courts “However, the results of the first month of Criminal Justice Reform show the transition has been effective in reaching its initial goals.”

Under a constitutional amendment that went into effect on Jan. 1, a prosecutor is now able to file a motion requesting defendants be held until trial without bail. From Jan. 1 to Jan. 28, the state made successful motions for detention in 283 of 506 cases (56 percent). In the remaining 223 cases, the defendants were released under the supervision of pretrial services program with conditions imposed based on their level of risk.

State Attorney General Christopher S. Porrino noted that a recent sweep of 29 fugitives who were out on bail under the old system resulted in 22 of those defendants being held without bail until trial. The new law, he said, was instrumental in the issuance of a new directive aimed at preventing victim and witness intimidation.

“Criminal Justice Reform offers law enforcement a unique opportunity to address the issue of witness intimidation,” Porrino said. “What we’ve seen so far is that Criminal Justice Reform is working the way it was intended to work.”

New Jersey Public Defender Joseph Krakora also said the new system is “already working.”

“Under the old system, many of our clients who were accused of non-violent offenses sat in jail for months because they could not afford minimal bail amounts while other defendants charged with serious violent offenses could buy their way out of jail if they had the means to do so. Defendants released on bail were not subject to any form of monitoring or supervision,” Krakora said.

“The new law eliminates the discrimination against poor people inherent in a money bail system on one hand and allows for an intellectually honest determination by judges that certain individuals accused of crimes pose too great a risk to public safety to be released on the other.”

As of Jan. 30, a total of 2,059 defendants were under the supervision of the Judiciary’s Pretrial Services program. Of those:

- 40 percent were being monitored at the highest level of supervision, which ranges from weekly in-person visits with pretrial services staff to electronic monitoring and house arrest;
- 45.5 percent were being monitored at lower levels of supervision, ranging from monthly in-person visits to contact by phone; and
- 14.5 percent were released on their own recognizance.

Criminal Justice Reform has also resulted in the minimal use of cash bail in New Jersey.

“Like the bail system before it, Criminal Justice Reform does not eliminate the risk that defendants will fail to appear in court or commit new crimes while out on release,” Grant said. “For the first time in our history, however, there is an opportunity to detain defendants until trial without regard to bail and, for the first time, we’ve created a system that provides for the monitoring of defendants released until trial. We look forward to continuing to work with prosecutors, public defenders and all of our criminal justice partners to ensure that this new system continues to work effectively.”